



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Suzanne Skadowski, Project Manager

Public Notice Date: January 06, 2006
Expiration Date: February 06, 2006
Reference: 200500946
Name: Dunato's Boatyard

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the 1899 Rivers and Harbors Act, for certain work described below and shown on the enclosed drawings.

APPLICANT: Dunato's Boatyard
2309 North Northlake Way
Seattle Washington 98103
ATTN: John Dunato
Telephone: (206) 547-7852

AGENT: Spearman Engineering
Post Office Box 230
Bremerton Washington 98337
ATTN: Al Elliott
Telephone: (206) 633-3554

LOCATION: In Lake Union, at 2309 North Northlake Way, at Seattle, Washington

WORK: Construct 4,530 square feet of new finger piers to be attached to the existing primary moorage pier and a 600 square foot extension of the existing secondary pier. Install 131 steel piles using a vibratory pile driver to support the finger piers and 20 steel piles to support the pier extension. The existing 379 linear feet of wood pier skirting will be removed and replaced with a two-foot continuous fendering system. The decks of all new piers will be grated to provide a minimum of 60 percent light penetration beneath the piers.

PURPOSE: The purpose of the proposed finger piers and pier extension is to provide enhanced onsite boat moorage and repair of large vessels that must remain in the water.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service on all actions that may affect a listed threatened or endangered species or any designated critical habitat. The Puget Sound Chinook (*Oncorhynchus tshawytscha*), coastal-Puget Sound bull trout (*Salvelinus confluentus*), and bald eagle (*Haliaeetus leucocephalus*), listed threatened in Washington state, occur in the project area. For Chinook and bull trout, critical habitat has been designated. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to these species.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH for Pacific salmon in the project area. If

the Corps determines that the proposed action may adversely affect EFH, the Corps will initiate consultation with the NMFS. The Corps' final EFH determination is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

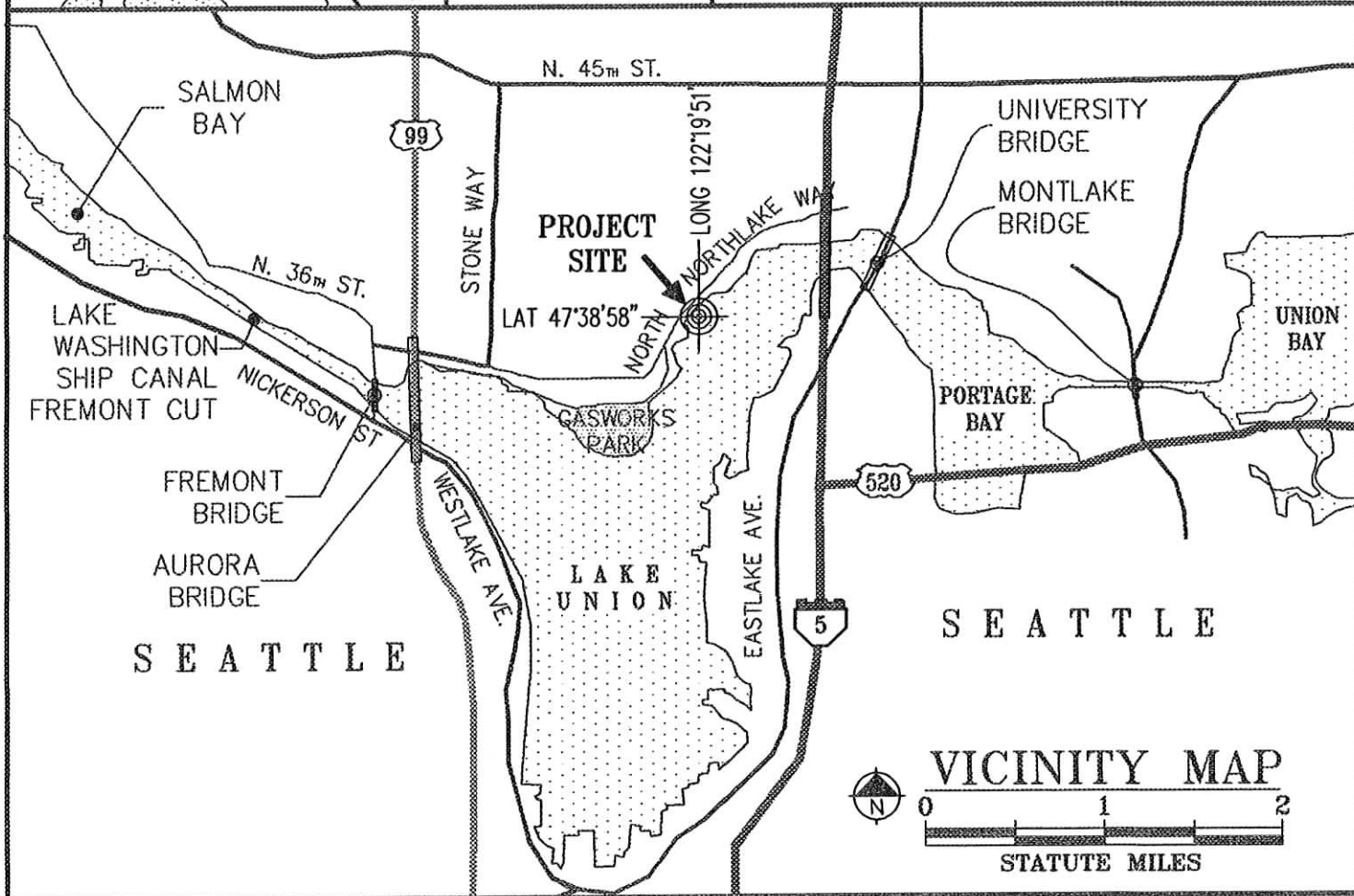
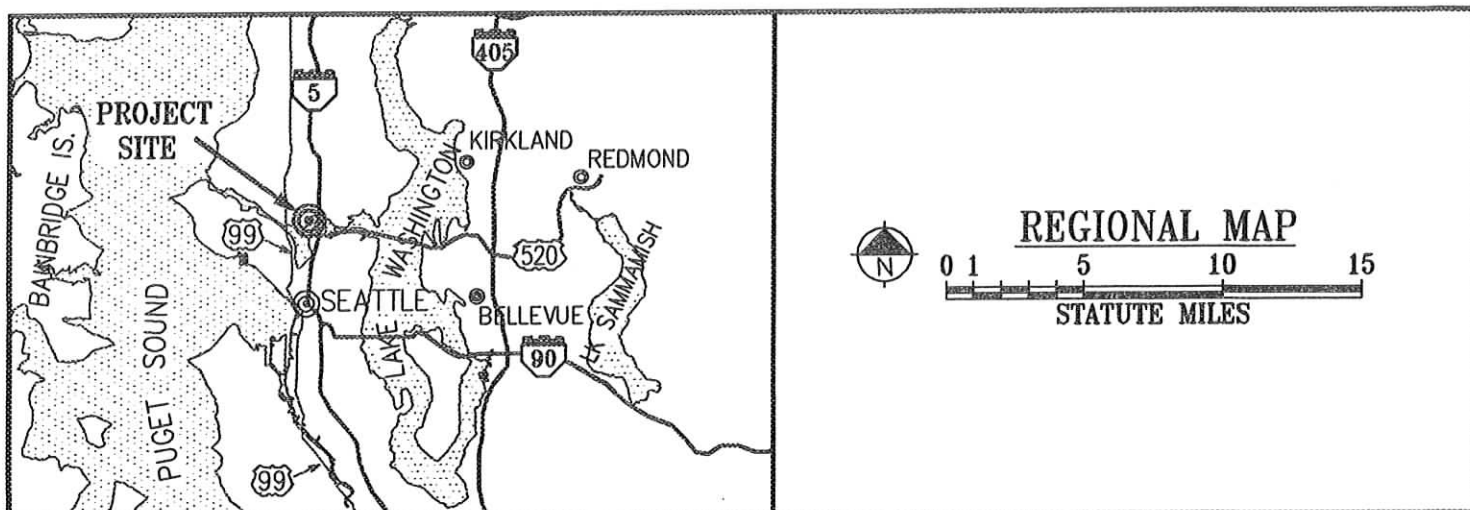
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, general environmental concerns, historic properties, fish and wildlife values, navigation, shoreline erosion and accretion, water quality, energy needs, safety, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program. This proposal is also the subject of a Shorelines Substantial Development Permit being processed by the City of Seattle.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and include on the subject line of the message the permit applicant's name and reference number as shown above. E-mail comments should be sent to Kathleen.S.Kunz@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. All comments must include the permit applicant's name and reference number shown below, and the commentor's name, address, and phone number. All comments must reach this office, no later than the expiration date of this public notice to ensure consideration.

Encl
Drawings (7)



NAME: Dunato's Boatyard

PURPOSE: Expand Existing Boatyard Piers to
allow In Water Repair of Larger Vessels

DATUM: USACE Lake Washington Ship Canal (1919)

ADJACENT PROPERTY OWNERS

1. Puget Sound Yacht Club
2. Department of Natural Resources
3. City of Seattle

USACE PROJECT #: 2005-00946

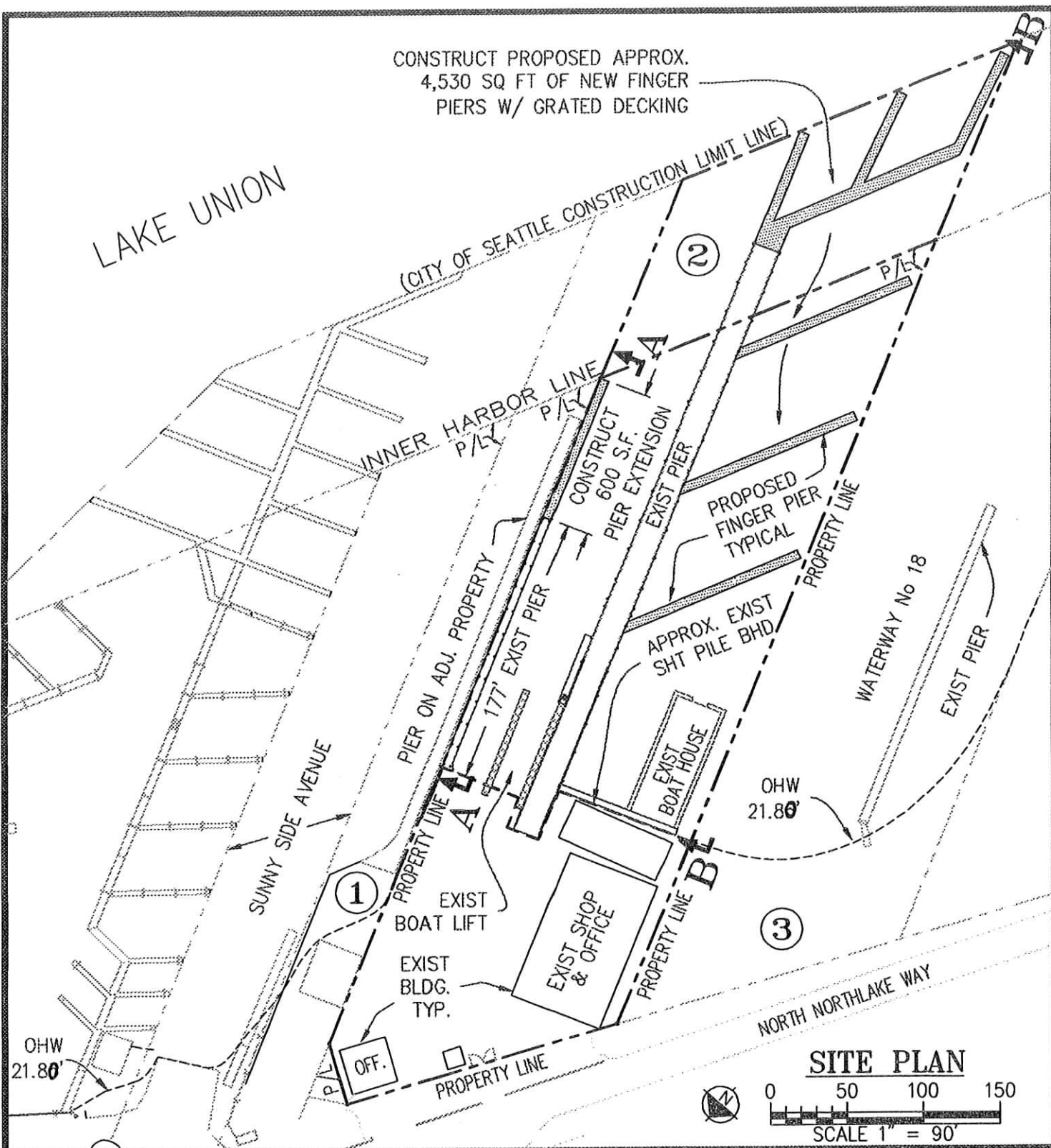
PROPOSED: Construct Finger Piers to Two Existing Piers,
Remove Portion of Skirting from Existing Piers.

IN: Lake Union At: Seattle

COUNTY: King

SHEET 1 OF 7

DATE: 9/16/2005



NAME: Dunato's Boatyard

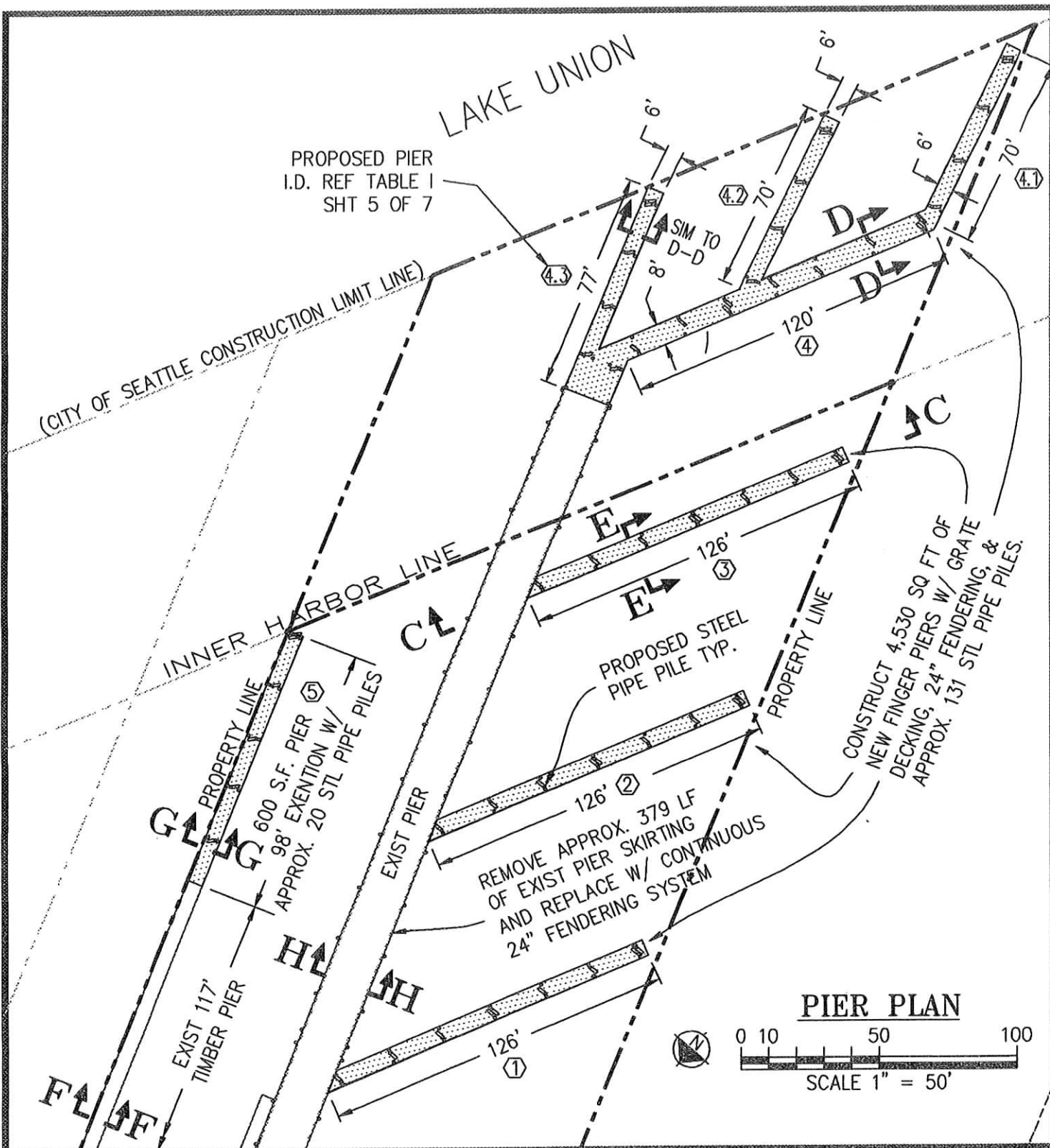
PURPOSE: Add Finger Piers & Pier Extension to
Exist Boatyard Piers for In-Water
Repair of Large Vessels

DATUM: USACE LWSC (1919)

USACE PROJECT #: 2005-00946

IN: Lake Union At: Seattle
COUNTY: King

SHEET 2 OF 7 DATE: 9/16/2005



NAME: Dunato's Boatyard

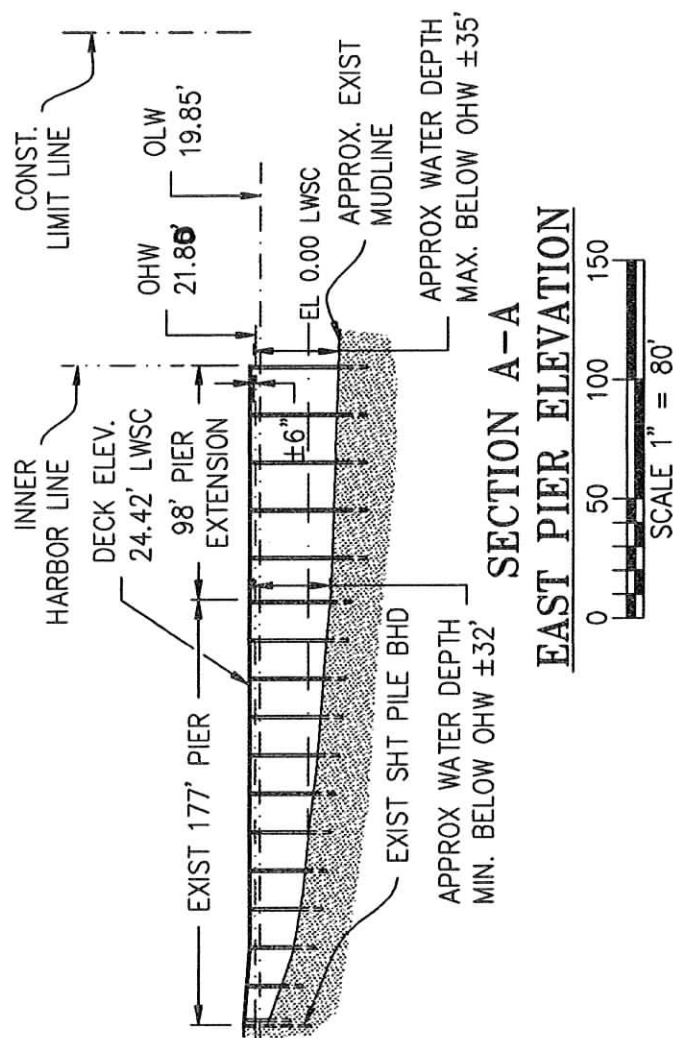
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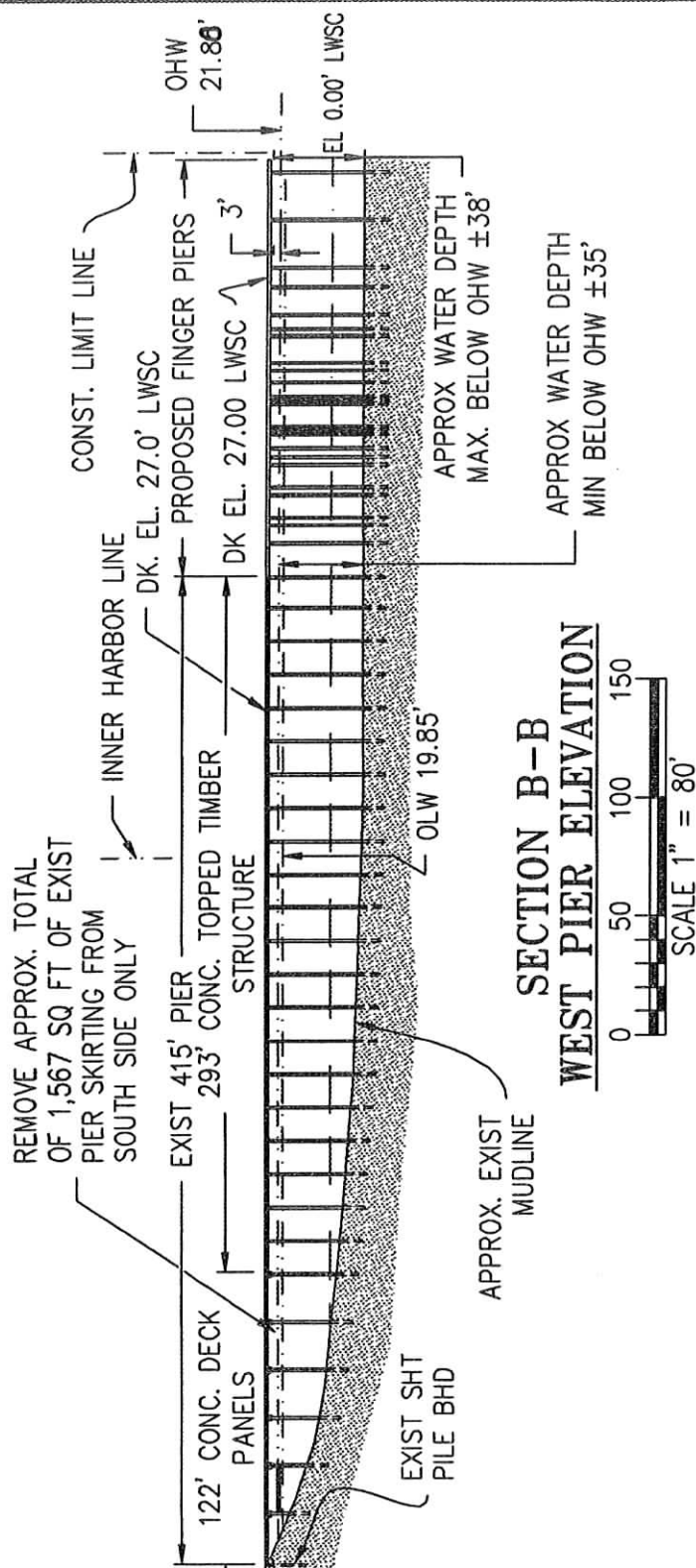
IN: Lake Union At: Seattle
COUNTY: King

SHEET 3 OF 7 DATE: 9/16/2005



SECTION A-A

EAST PIER ELEVATION



SECTION B-B WEST PIER ELEVATION

NAME: Dunato's Boatyard

PURPOSE: Add Finger Piers & Pier Extension to
Exist Boatyard Piers for In-Water
Repair of Large Vessels

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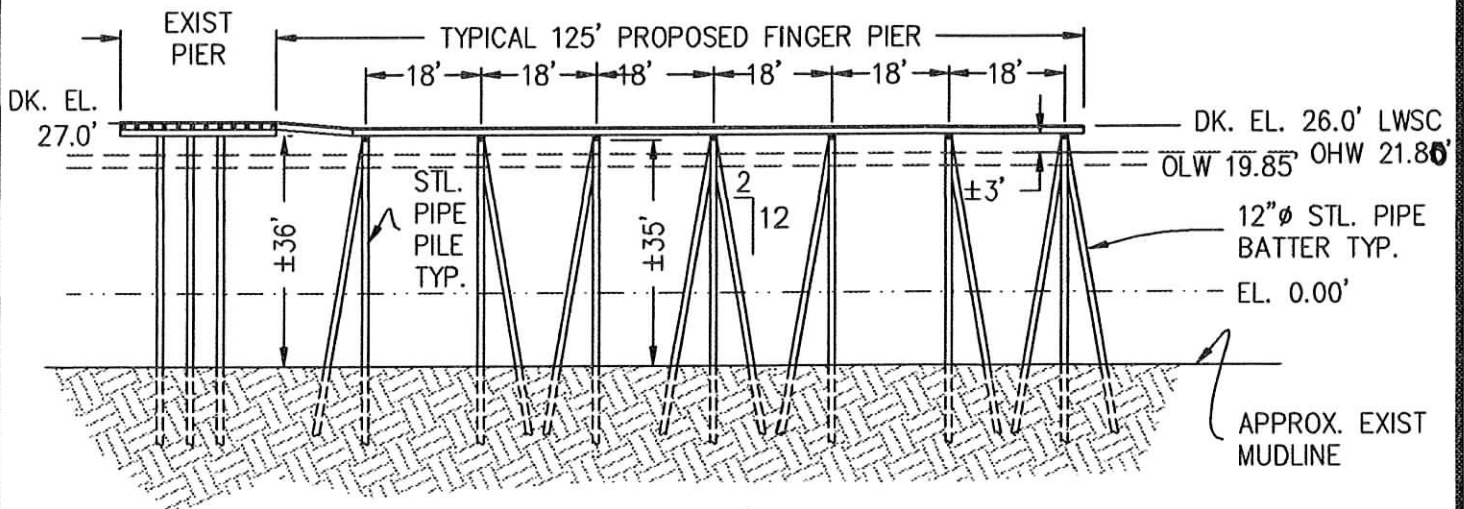
USACE PROJECT #: 2005-00946

IN: Lake Union At: Seattle
COUNTY: King

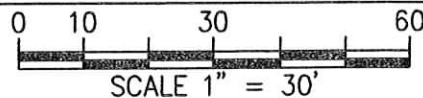
SHEET 4 OF 7 DATE: 9/16/2005

TABLE I

Project Piers					
Proposed Project Item	Proposed Pier Length	Pier Width	Area	DK. EL. LWSC (FT)	Piles
Finger (1)	126 ft	6 ft	756 sf	26.00	22
Finger (2)	126 ft	6 ft	756 sf	26.00	22
Finger (3)	126 ft	6 ft	756 sf	26.00	22
Finger (4)	120 ft	8 ft	960 sf	27.00	26
Finger (4.1)	70 ft	6 ft	420 sf	27.00	13
Finger (4.2)	70 ft	6 ft	420 sf	27.00	13
Finger (4.3)	77 ft	6 ft	462 sf	27.00	13
East Extension (5)	100 ft	6 ft	600 sf	24.42	20
Total			5,130 sf		151



**SECTION C-C
TYP. FINGER PIER ELEVATION**



NAME: Dunato's Boatyard

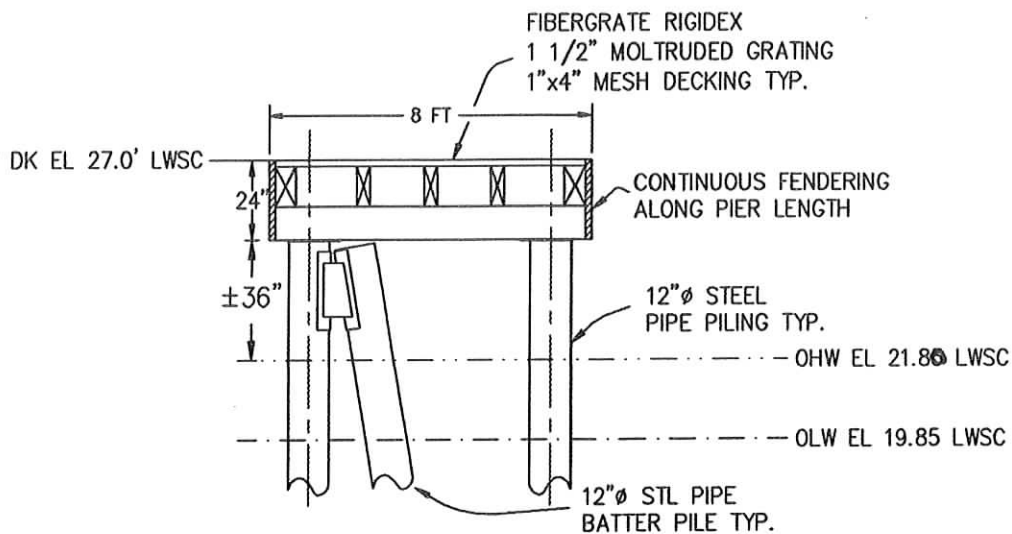
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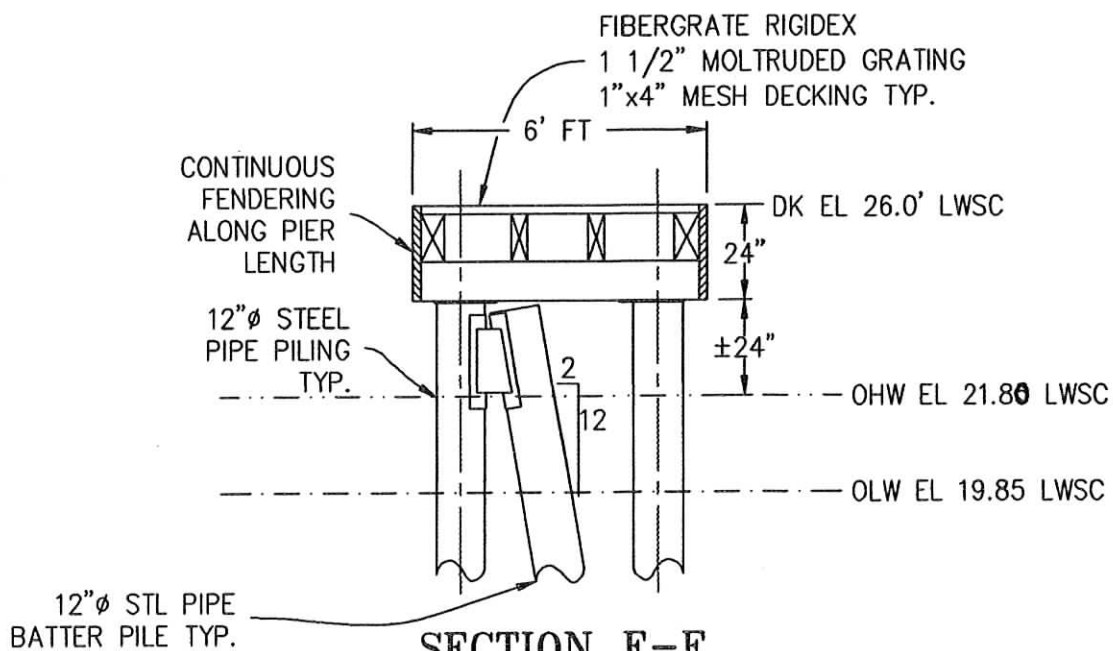
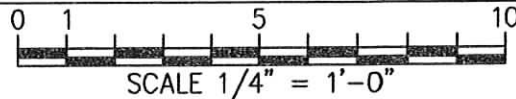
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COUNTY: King

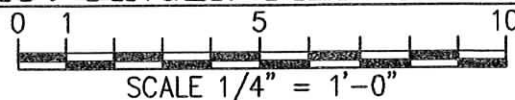
SHEET 5 OF 7 DATE: 9/16/2005



SECTION D-D TYP. FINGER PIER SECTION



SECTION E-E TYP. FINGER PIER SECTION



NAME: Dunato's Boatyard

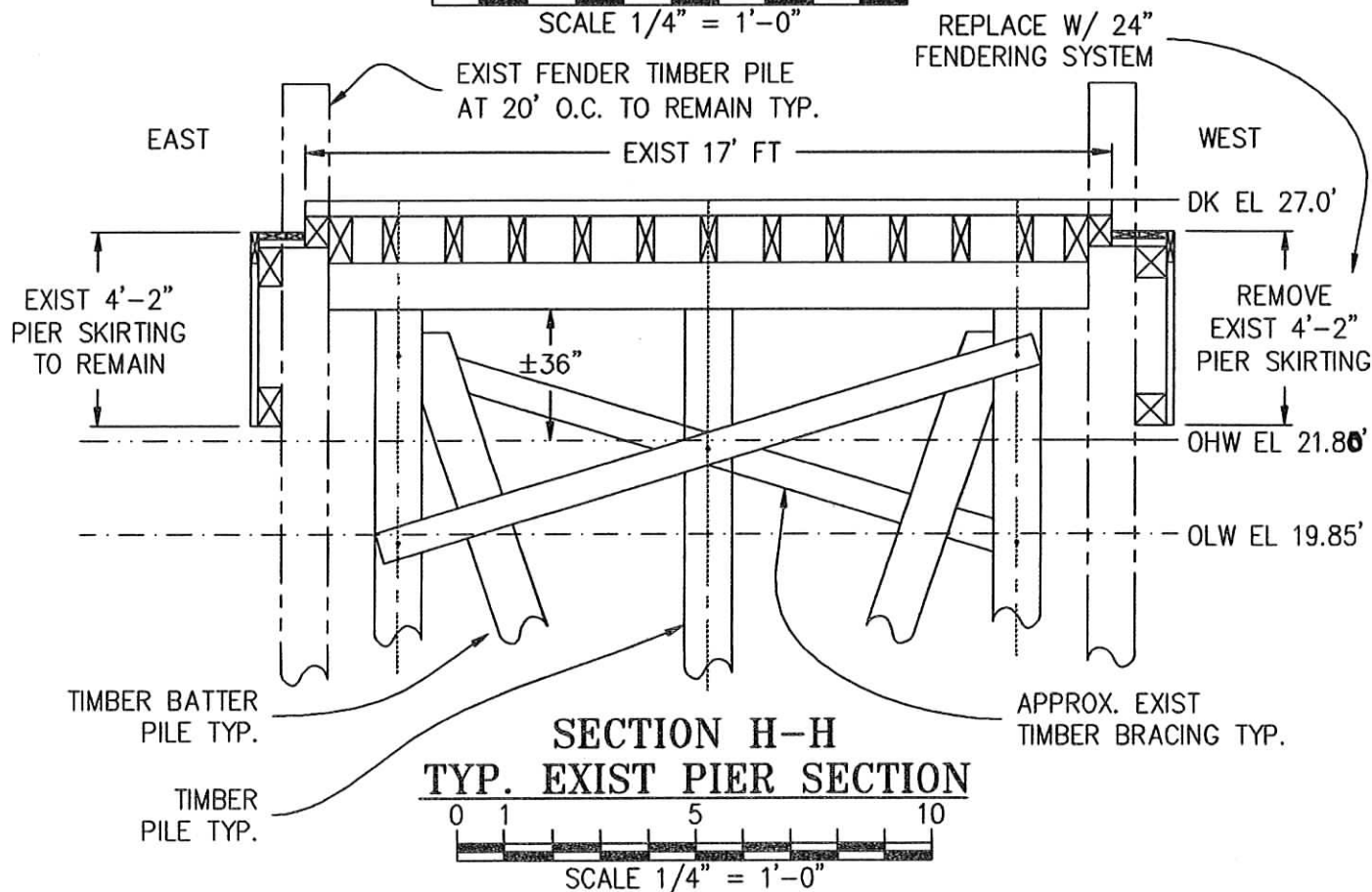
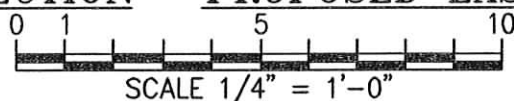
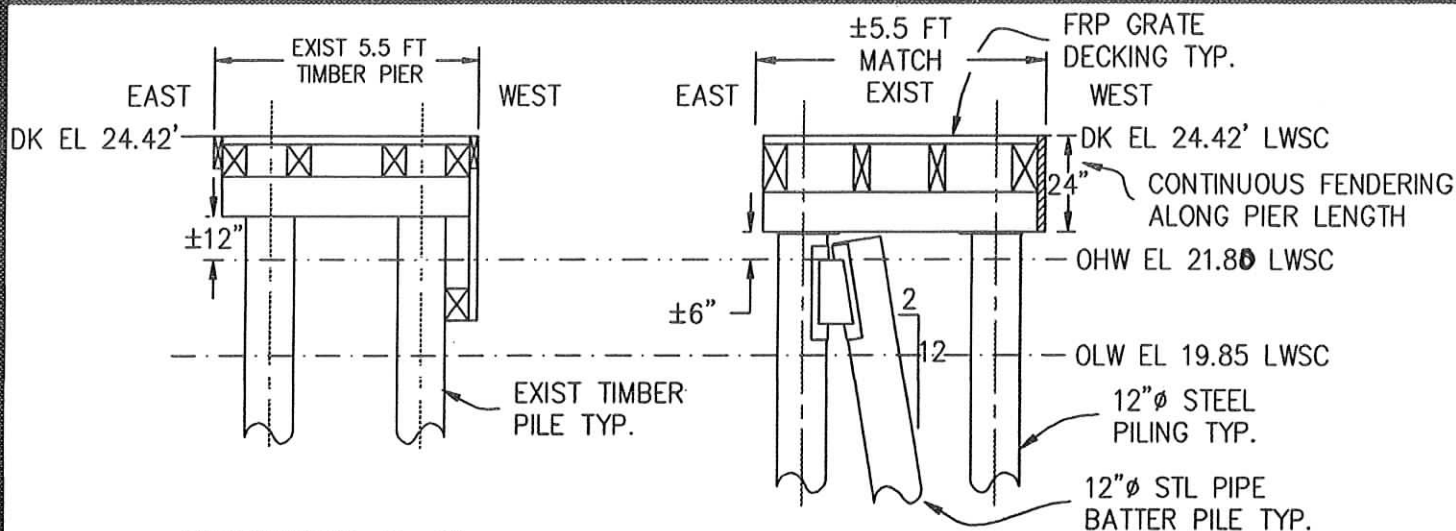
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IN: Lake Union At: Seattle
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SHEET 7 OF 7 DATE: 9/16/2005



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: January 6, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200500946 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600